

EXHIBIT “6”



**David P. Pogrel**

**From:** David P. Pogrel  
**Sent:** Tuesday, November 20, 2007 4:51 PM  
**To:** 'tmak@morganlewis.com'; 'reisen@morganlewis.com'  
**Cc:** mballer@gdblegal.com; Aaron Kaufmann; 'Michael Singer'  
**Subject:** Saidel v. CBS - proposal follow up

Becky and Theresa-

Thanks for the call and proposal to compromise all of our issues so that we can move forward with the depositions and not be mired in motion practice for the next month. I have consulted with co-counsel and here is our decision (in e-mail rather than a call so that all of the details are clear, but of course we are happy to discuss by phone).

Here is the agreement we would like to propose, based on our earlier discussion.

1) We will produce the plaintiffs' tax schedules from the years in the liability period and the 12-week sample of unredacted calendars for Mr. Saidel. These docs will be produced per the mediation privilege and will not be used for any purpose other than for CBS to effectively prepare for mediation. Specifically these documents will not be used in, nor entered as exhibits to, any deposition and our clients will not be asked about the content of their privileged tax returns or calendars. You may decide to move to compel production of the documents later and do not waive your right to do so. If we do not settle at mediation, you will return all of the documents to us unless you have successfully moved to compel production before the mediation. You can move to compel either before or after the mediation but agree not to file the motion to compel before December 20th (so we can focus on depositions and scheduling mediation rather than filing motions).

In exchange...

2) CBS will provide us contact information for a selection of class members and supervisors, also per the mediation privilege. We would like to see the following sample - One-third (33%) of all class members and one-half (50%) of all former supervisors. We can then use the contact info to call these people. We do not waive our right to move to compel the complete list of contact information for all class members and supervisors. If we do not settle at mediation, we will return all of the contact info documents to you unless we have successfully moved to compel before the mediation. We also can move to compel either before or after the mediation but agree not to file the motion to compel before December 20th.

This exchange will occur at a mutually agreeable time and will not alter either party's obligation to produce other documents in this case (as I mentioned in my letter, we are still waiting on CBS's production).

I hope we are in agreement. In anticipation of reaching a deal and scheduling depositions, we will prepare the amended notices for December 6 and 7 per my letter of earlier today, and make further efforts to confirm our clients' availability for deposition on the 3rd and 4th (Mr. Saidel is confirmed, just awaiting Ms. Jackson). Please let me know if you think these issues will raise any additional concerns for you.

Thanks again.

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